

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

September 28, 2010

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 28th day of September, 2010 at 9:00 a.m. in the Commissioners' Room of the Quay County Courthouse, Tucumcari, New Mexico for the purpose of taking care of any business that may come before them.

PRESENT & PRESIDING:

Franklin McCasland, Chairman
Bill Curry, Member
Robert Lopez, Member
Ellen L. White, County Clerk
Richard Primrose, County Manager

OTHERS PRESENT:

Larry Moore, Quay County Road Superintendent
Cheryl Simpson, Quay County Manager's Office
Janie Murray, Quay County Assessor
Lawrence & Patsy Szaloy
Becky Wallace, PMS Health Services
Joe Schallert, Quay County Sheriff and Larry Cooksey, Under Sheriff
Tim Rose, Assistant District Attorney
Donald Adams, Quay County Fire Marshall
Raymond Bates
Jerry & Ann Hall
Janet Garcia

Chairman Franklin McCasland called the meeting to order. Becky Wallace led the Pledge of Allegiance.

Chairman Franklin McCasland called the Public Hearing for discussion of the removal of three speed bumps in the 3900 block of East Maple Street to order. Quay County Clerk, Ellen White swore in the following individuals so they could provide testimony during the Public Hearing: Lawrence and Patsy Szaloy, Ann Hall and Janet Garcia.

Lawrence and Patsy Szaloy both spoke in favor of leaving the speed bumps on the public roadway. The Szaloy's stated they originally requested the placement of the speed bumps many years ago under a previous administration due to the high speeds of the vehicles along that road. The Szaloy's stated if the bumps are removed, will law enforcement be able to patrol that area to issue citations to the speed limit violators.

Janet Garcia stated she has lived along the road both prior to the speed bumps being installed and now travels it frequently with the bumps. Garcia said she believes the bumps have served as no deterrent to speeders as they seem to think of it as a game to see how fast they can go in between the bumps. She said the only time the speed limit is obeyed is when the State Police are patrolling and using radars to detect violators.

Ann Hall stated the speed bumps served a purpose when they were originally put in as they were very high and people did slow down. However, with wear and tear the speed bumps are hardly noticeable and traffic moves across them with ease. Hall stated the signage along the road seems to be a bigger problem as no speed limit signs or signage for traffic to slow down for high traffic areas are in place.

With no further testimony's Chairman McCasland closed the Public Hearing portion of the meeting.

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the minutes from the September 13, 2010 regular commission meeting. MOTION carried with all members voting "aye".

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Agenda as presented. MOTION carried with all members voting "aye".

Public Comments: There were none.

Larry Moore, Quay County Road Superintendent presented the following report:

1. Requested approval of the removal of the three speed bumps in the 3900 block of East Maple Avenue. Moore stated he is requesting the removal as the speed bumps are a direct violation of State Statute to obstruct a public road. Chairman McCasland asked Assistant District Attorney, Tim Rose his opinion of the situation. Rose stated the County is not protected through governmental immunity and suggested the bumps be removed to be in compliance with State Law. As well, McCasland asked Quay County Sheriff Joe Schallert if he had anymore to add to the discussion. Schallert stated he realized the concerns of all the residents and would make sure an officer would be patrolling that area. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to accept the recommendation of Moore and remove the speed bumps and place proper signage. Commissioner Lopez stated he had numerous complaints from farmers in that area who could no longer utilize the road to move their farm equipment as the bumps damaged the equipment. Commissioner Curry said he believed the speed bumps were installed with the best of intentions but should not have ever been installed as it violated state code and he added there was really no choice but to correct the problem and get them removed. MOTION carried with all members voting "aye".
2. Crews finished the 5 mile project along Quay Road BH.
3. The CAT Roller will be taken to Amarillo for repairs.
4. During the recent rains, some of the crew worked at the PMS Health Building parking lot.

5. Exploring the option purchasing material (caliche) from K. Barnett near Jordan for future projects.
6. Ralph Lopez has resigned his position as mechanic at the Road Department. The position will be advertised soon for a replacement.
7. Moore will be attending a Standard Operating Procedures meeting of the Public Works Department in Albuquerque.
8. The Road Department will be purchasing two tampers, one large plate tamper and a jumping jack tamper. Both are available through GSA contracts.

Richard Primrose thanked the Road Department crews for the work they assisted the County with at the PMS Health Building and the Fire Departments.

Chairman McCasland informed Moore that James Vance had contacted him and has purchased two culverts and is ready for the Department to install them. McCasland also received some concerns from Dale Choat regarding the severe condition of 11 mile road. McCasland also stated there are large potholes once again on Quay Road AI.

Donald Adams, Quay County Fire Marshall presented the following items for approval.

1. Requested approval of RFP #10-03; 40,000 gallon water tank for Jordan Fire District be awarded to the lowest bidder, White Cloud Pipeline Corp in the amount of \$91,800.00. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the Bid. MOTION carried with all members voting "aye".
2. Requested approval of the Contract between Quay County and White Cloud Pipeline as a result of the bid awarded as described above in RFP #10-03. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the Contract. MOTION carried with all members voting "aye". A copy of said Contract is attached and made a part of these minutes.

Chairman McCasland requested a recess. Time noted 9:50 a.m.

Return to regular session. Time noted 10:10 a.m.

County Manager Richard Primrose presented the following Manager's Report:

1. Requested approval of Resolution No. 9; A Resolution Adopting an Infrastructure Capital Improvements Plan (ICIP). A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the Resolution. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.
2. Requested approval of the Agreement for Housing Prisoners between the County of Quay and the City of Tucumcari. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve said Agreement. MOTION carried with all members voting "aye". A copy of said Agreement is attached and made a part of these minutes.
3. Provided information regarding a Ute Water Commission meeting to be held on September 30, 2010 in Melrose, NM.

4. An Interstate Stream Commission meeting will be held Wednesday, September 29, 2010 in Albuquerque. Items of concern include the Shoreline Management.
5. Provided the monthly Gross Receipts Tax report for the month.
6. The HVAC units for the courthouse have been ordered.
7. A second supplemental funding opportunity was made available for the Sole Community Provider in the amount of \$119,251.00.
8. Discussion is ongoing with the National Weather Service regarding the use of radios for alerts.
9. The sewer line behind the hospital had to be replaced this past week due to numerous attempts to keep it clear.
10. The exhaust fan in the kitchen at the Detention Center has been replaced.
11. The meeting scheduled for Tuesday, October 12, 2010 will have a time change from 9:00 A.M. to 1:30 P.M.
12. Written quotes will be obtained for a Comprehensive Plan.
13. County employees who drive county vehicles have been issued a Fleet Card for fuel that should save the County some money.
14. A meeting of the Quay County Racino group will be held on Wednesday night, September 29, 2010 at 6:00 P.M. at the Tucumcari Convention Center.

A MOTION was made by Bill Curry, SECONDED by Robert Lopez, to go into Executive Session pursuant to the Open Meetings Act 10-15-1(H) 7 NMSA to discuss pending litigation; Dusty Stone vs. County of Quay, etal. MOTION carried with Lopez voting "aye"; Curry voting "aye" and McCasland voting "aye". Time noted 10:20 a.m.

-----EXECUTIVE SESSION-----

Return to regular session. Time noted 10:35 a.m.

A MOTION was made by Bill Curry, SECONDED by Robert Lopez that only the items listed above were discussed during Executive Session and no action was taken. MOTION carried with Lopez voting "aye"; Curry voting "aye" and McCasland voting "aye".

Chairman McCasland requested the meeting adjourn until 2:00 p.m. A MOTION was made by Robert Lopez, Seconded by Bill Curry to adjourn. MOTION carried with all members voting "aye". Time noted 10:40 a.m.

Return to regular session. Time noted 2:00 p.m.

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to go into session as the Indigent Claim Board. MOTION carried with all members voting "aye". Time noted 2:05 p.m.

-----INDIGENT CLAIMS BOARD-----

Return to regular session. Time noted 2:15 p.m.

CHECKS WERE REVIEWED AND APPROVED:

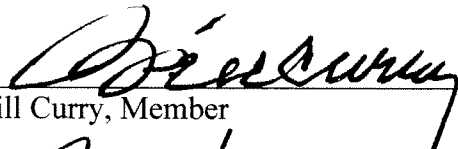
UNDER OTHER BUSINESS:

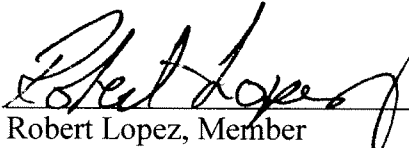
Chairman McCasland stated he received an email from Sherry Mangold, NM Attorney General's Animal Cruelty Task Force regarding a problem with dogs running at large around the vicinity of 6380 Quay Road AR. McCasland stated he would respond to the letter accordingly and forward his response to the other Commissioners and the Manager.

There being no further business, a MOTION was made by Bill Curry, SECONDED by Robert Lopez to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for Tuesday, October 12, 2010 unless sooner called. MOTION carried with all members voting "aye". Time noted 2:30 p.m.

BOARD OF QUAY COUNTY COMMISSIONERS


Franklin D. McCasland, Chairman


Bill Curry, Member


Robert Lopez, Member

ATTEST:


Ellen L. White, County Clerk